FORM-I

NOTICE FOR APPEARANCE IN PERSON AFTER ADMISSION

(SEE RULE 18)

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH

AT HYDERABAD

MONDAY THE TWENTY THIRD DAY OF AUGUST

TWO THOUSAND AND FOUR

: PRESENT:

THE HON'BLE MR.JUSTICE: **V. ESWARAIAH**

CONTEMPT CASE No. **862 OF 2004**

Between:

Prof. (Dr.) B.R.K. Raju, S/o. Late Jagapati Raju, Retired Professor, Andhra University, Visakhapatnam, Residing at Nandini Apartments, G.F.I., Venkotipalem, Visakhapatnam.

..... Petitioner

AND

1. Sri G. Sudheer, I.A.S., Education Department, Govt. of A.P. Secretariat Buildings, Hyderabad.
2. Sri M. Radha, I.A.S., Secretary, Finance and Planning Department, Govt. of A.P., Secretariat Buildings, Hyderabad.
3. Prof. M.S. Prasada Rao, Registrar, Andhra University, Visakhapatnam.

To

1. Sri G. Sudheer, I.A.S., Education Department, Govt. of A.P. Secretariat Buildings, Hyderabad.
2. Sri M. Radha, I.A.S., Secretary, Finance and Planning Department, Govt. of A.P., Secretariat Buildings, Hyderabad.
3. Prof. M.S. Prasada Rao, Registrar, Andhra University, Visakhapatnam.

WHEREAS your attendance is necessary to answer the charges of the Contempt of Courts viz; for the disobedience of the positive orders of the Hon`ble Court made in W.P. NO. 18808 of 203 on 07-11-2003;

Whereas the Court while admitting the Contempt Case observed that the petitioner has filed this Contempt Case, complaining that the respondents willfully disobeyed the orders of this Court dated: 07-11-2003.

The Writ Petition was disposed of on 07-11-2003 as the matter was squarely covered by the Judgment of this Court dated: 22-07-2002 in W.P. NO. 5968 of 1990, which was confirmed by the Division Bench of this Court on 20-03-2003 in W.A. No. 1926 of 2002.

It was held in the said matter that A.P. Revised Pension Rules, 1980 should not be applied for the two years service rendered beyond the period of 58 years of age and the University shall treat the age of superannuation of the employees therein as 60 years while computing the pension.

Accordingly, following the said Judgment, the Writ Petition was disposed of, directing the respondent to compute the pension of the petitioner under A.P., Revised Pension Rules, 1980 taking into consideration the two years of service rendered beyond the age of 58 years and pass appropriate orders within a period of three months from the date of receipt of copy of the said order.

As the said orders have not be complied with, the petitioner filed the Contempt Case, alleging that the Contempt Case, alleging that the respondents have willfully not considered the matter and the orders have not

been complied with.

The Court issued notice before admission on 23-07-2004. Notices were served on all the respondents. Though no one made appearance on their behalf, the name of Mr. P.B. Vijaya Kumar was printed, who is appearing on behalf of respondent No.3 and the leareng Government Pleader took time on 20-08-2004 for filing counter. No counter has been filed on behalf of the respondents.

As prima facie, the orders of this Court have not been complied with, I am of the opinion that the respondents have willfully dis-obeyed the orders of this Court they directed to submit an explanation as to why action should not be taken against for their willful disobedience of the orders passed by this Court on 07-11-2003 in W.P. No. 18808 of 2003.

And whereas the Court directed the Registry to post the Contempt Case for explanation of the respondent and appearance on 20-09-2004, if the respondent implements the order of this Court, they need not appear before this Court and file compliance report.

You viz ;

1. Sri G. Sudheer, I.A.S., Education Department, Govt. of A.P. Secretariat Buildings, Hyderabad.
2. Sri M. Radha, I.A.S., Secretary, Finance and Planning Department, Govt. of A.P., Secretariat Buildings, Hyderabad.
3. Prof. M.S. Prasada Rao, Registrar, Andhra University, Visakhapatnam.

are hereby required to appear in person before the High Court of Andhra Pradesh at Hyderabad on **20-09-2004 at 10.30 A.M.** and show cause why you shall not be punished or other appropriate order be not passed against you for Contempt of the High Court of Andhra Pradesh.

You shall attend High Court of Andhra Pradesh at Hyderabad in person on **20-09-2004 at 10.30** A.M. and shall continue to attend the High Court on all days thereafter to which date the case against you stand as adjourned and until final orders are passed on the charge against you. If you implemented the order of this Court you need not appear before this Court, but file compliance Report.

Herein fail not.

DEPUTY
REGISTRAR

To

1. The Chief Judge, City Civil Court, Hyderabad. **(in duplicate with a copy of petition and affidavit for service on the Respondents 1 & 2 and return to the High Court before 20-09-2004)**
2. The District Judge, Visakhapatnam District at Visakhapatnam **(in duplicate with a copy of petition and affidavit for service on the Respondent No. 3 and return to the High Court before 20-09-2004)**
3. Sri G. Sudheer, I.A.S., Education Department, Govt. of A.P. Secretariat Buildings, Hyderabad.
4. Sri M. Radha, I.A.S., Secretary, Finance and Planning Department, Govt. of A.P., Secretariat Buildings, Hyderabad. (3 & 4 BY SPECIAL MESSENGER with a copy of petition and affidavit)
5. Prof. M.S. Prasada Rao, Registrar, Andhra University, Visakhapatnam. (BY SPEED POST with a copy of petition and affidavit)
6. One CC to Mr. V. Jogayya Sarma, Advocate, (OPUC)
7. One spare copy.

Ksv

HIGH COURT

VEJ

DATE: 23-08-2004

NOTE: POST ON 20-09-2004
FOR APPEARANCE
OF CONTEMNORS

ORDER

C.C. NO. 862 OF 2004

NOTICE FOR APPEARANCE OF THE RESPONDENTS